

**U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**ENVIRONMENTAL ASSESSMENT  
EA Number CA-660-05-03**

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**DATE:** October 8, 2004

**TITLE / PROJECT TYPE:** OHV Route Restoration

**CASE FILE / PROJECT NO:** N/A

**FUNDING CODE:** 1772      **PROGRAM ELEMENT:** JA

**BLM OFFICE:** Palm Springs-South Coast Field Office  
690 W. Garnet Avenue, P.O. Box 581260  
North Palm Springs, CA 92258-1260

**APPLICANT / PROPONENT:** BLM

**LOCATION OF PROPOSED ACTION:** Little Morongo Canyon  
Big Morongo Canyon Area of Critical  
Environmental Concern, Township 2S, Range 4E, Section 12, N½ and Section 1, E½; Township  
1S, Range 5E, Section 36, SE¼. San Bernardino and Riverside Counties.

**PROJECT ACREAGE:** 2 acres (all BLM land)

**USGS TOPOGRAPHIC MAP:** Morongo Valley, California

**LAND USE PLAN CONFORMANCE and Other Regulatory Compliance:**

In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with the following approved land use plan: **California Desert Conservation Area Plan, 1980; Coachella Valley CDCA Plan Amendment, 2002.**

The USFWS was consulted informally during this process for Environmental Assessment CA-660-02-36, in regards to previous work in the same project area. A determination of beneficial affect was made by the BLM and the USFWS. Formal consultation was not required.

**NEED FOR THE PROPOSED ACTION**

The only designated route through Little Morongo Canyon is the Southern California Edison (SCE) access road/Kickapoo Trail (see CDCA Plan Amendment), however numerous side trails

create a braided network through the canyon which creates a much larger area of impact than the access road alone. These side trails are the sites for the proposed rehabilitation efforts in order to minimize soil erosion and loss of native vegetation. Rehabilitating non-designated routes encourages OHV's to stay on the BLM-designated route within Little Morongo Canyon. Increased OHV compliance together with increased plant cover and diversity of shrubs, forbs, and grasses is expected to improve wildlife habitat, increase wildlife populations, and restore ecosystem processes.

A timely response by BLM for soil protection and vegetation restoration in the ACEC will afford greater protection to species of special concern to BLM managers, to outstanding scenic landscapes, and to recreation uses, thereby meeting public expectations for environmental protection while advancing opportunities for high-quality, safety-conscious OHV recreation.

## **DESCRIPTION OF THE PROPOSED ACTION and ALTERNATIVES**

### **Background**

The proposed rehabilitation sites include numerous side trails that braid in and out of the Southern California Edison (SCE) access road that runs from the Devers substation near Desert Hot Springs through lower Little Morongo Canyon and the upper unnamed canyon that connects with the Kickapoo Trail in Yucca Valley. This road is a popular touring road for off-highway vehicle enthusiasts as it is one of the few routes between the Morongo Basin and the Coachella Valley. The route is passable to 4-wheel drive vehicles all year and most 2-wheel vehicles during the dry season.

#### **1. Proposed Action**

The Bureau of Land Management proposes to restore the numerous unauthorized side trails that stem from a 4,000 meter (2.5 mile) section of the Kickapoo Trail in Little Morongo Canyon, using the Student Conservation Association (SCA) as contractors for the restoration work. SCA will also restore two small sections of unauthorized trail in the Lanning Lane area (contained in the Big Morongo ACEC) as part of their field training.

Approximately 2,300 meters of unauthorized routes will be restored, with an average width of 2 meters, for a total of 4,600 square meters (1.1 acres). A brief description of all restoration sites may be found in **Table 1**. Below is a summary of the restoration techniques which may be employed for the project. The SCA restoration technicians will decide which treatments to employ at each site unless given specific instructions by the ECO restoration ecologist. In almost all instances only hand tools will be used. Overall, the restoration aims to restore the soil and topography to a more natural state which will enhance natural regeneration of vegetation.

### **Restoration Techniques:**

#### *Decompaction*

Non-designated trails with repeated vehicle traffic may require soil decompaction to increase water infiltration. Improving water infiltration allows plants to establish and burrowing animals such as ants, rodents, and foxes, to inhabit the soil again. Workers shall use hand tools such as soil spades, spading forks, and shovels to loosen the top two to six inches of soil.

### *Soil Pitting*

Soil pitting contours the soil to direct water flow and draw wind-blown seeds to focal spots on the ground. Pitting first creates bowls approximately one to two feet wide and six inches deep. This practice creates microsites in the bowls to increase seed germination and small plant growth.

### *Soil Imprinting*

Soil imprinting entails raking small trenches to roughen the texture on surface soil and to collect wind-blown seed. Hand tools such as shovels and rakes shall be used.

### *Raking*

On non-designated trails formed after a single trespass (one person at one time) or trails with little or no vegetation trampling or soil compaction after trespass, work crews shall rake or sweep with a broom the top one inch of soil to hide these evidence of tracks. Soils may also be contoured to match surrounding land. Only hand tools shall be used.

### *Barricading with Rice Straw Bales*

Certified weed-free bales of rice straw shall obstruct OHV travel on closed areas formerly used for non-designated hill climbs and on non-designated OHV trails. The bales slow and diffuse soil erosion and water flow down slopes. Over time, rice straw bales break down and provide mulch for plants grown from seeds trapped on the upslope side of the decomposing bale. A truck to transport bales is the only mechanical equipment required.

### *Terracing with Berms*

Berms or terraces slow and disperse water flow. People shall use hand tools to disturb the top one to six inches of soil.

### *Vertical Mulching*

Dead plant material placed at the beginning of non-designated trails off of BLM-designated trails can disguise these trails and deter additional illicit OHV traffic. Large desert shrubs on the soil surface act as barricades. Similarly, dead shrubs or branches planted upright in the soil make the trail blend in with surrounding vegetation. Vertical mulch also benefits restoration by trapping wind-blown seeds and lessening wind erosion just above the ground surface. This work shall be primarily accomplished with hand tools. Little soil disturbance would be needed except where mulch is “planted” and thus requires a small hole to anchor the material.

### *Large Rocks*

Barricades may consist of a row of large rocks and boulders to deter use in especially fragile areas. Placement of rocks requires no equipment and little or no soil disturbance is associated with their use. Fencing would entail soil disturbance, but no areas have been identified thus far where fencing is necessary.

### *Planting Vegetation*

Re-vegetating involves directly planting native species to the line of sight from a BLM-designated OHV trail to accelerate improvements to soil stability, vegetation cover and diversity, and wildlife habitat. Eventually re-vegetation disguises trails. Planting shall make use of hand

tools (shovels) and some mechanized equipment (augers) to dig holes up to two feet deep and one foot wide, for the largest transplants. In extraordinary cases, transplantation of larger plants would require somewhat larger holes potentially up to three feet deep and three feet wide. During FY 2005, available stock of that size will not be available. After planting, work can contour soil to direct the flow of rainwater or irrigation water to plant roots.

Planting vegetation requires considerable advance work. First, the restoration ecologists shall gather local provenances of seeds for native shrub, forb, and grass species. In dry years, it may be necessary to irrigate specimens of plant species desired for propagation by seed. To propagate plants from seed and to hold young plants before outplanting, the restoration ecologists shall form a contract with Joshua Tree National Park Nursery or construct portable lath houses.

### *Seeding*

Seeding requires rakes to collect seed from seed banks in the soil or from dried seedpods still attached on plants. Hand sowing spread seeds across the soil surface. Raking shall disturb at most the top one-inch of soil. Hand seeding also may be concurrent with soil pitting (see above) to improve seed germination rates.

### *Signing*

Insufficient or ambiguous signs on BLM-designated routes cause responsible OHV riders to accidentally ride on non-designated routes. To help riders, the restoration ecology team shall work closely with the ECO trail maintenance team to maintain existing signs and place new signs wherever necessary. Various signs may be appropriate to site needs; and recreational, directional, special designation, or informational signs may be needed. Special designation signing shall also indicate areas of re-vegetation to prevent unintended trampling. Signing work involves a carsonite sign driver that can disturb soil to a one-foot depth but with a minimal surface width disturbance.

### *Removing Manufactured Materials and Structures*

The restoration team shall remove litter and other unsightly or potentially dangerous manufactured materials less than 50 years old. If the restoration team discovers previously undocumented materials that appear to be more than fifty years old, they shall consult with the cultural resources specialist at the Palm Springs FO. The cultural resources specialist will assess whether removing materials older than 50 years is appropriate and what documentation or mitigation is appropriate. Removal shall include materials of non-historical value such as abandoned automobiles. Removal of large objects may involve the hiring of a separate contractor such as a Tow-Truck company. Disturbances related to removal will be kept at a minimum, and if removal would pose a threat to a species of concern, no removal will occur.

### *Eradicating Noxious Weeds*

The restoration crew shall remove noxious non-native plants and perennial shrubs growing in non-designated routes and trails by hand or with hand tools. If the infestation of noxious weeds appears to require applications of herbicides (as with *Tamarix* sp), the restoration ecologists shall consult with the BLM Palm Springs FO natural resource specialist coordinating the noxious weed program at the FO to arrange for herbicide treatments by an integrated pest management

person licensed by the State of California. In the case of *Tamarix* sp., chainsaws may be used by certified personnel under the supervision of a natural resource specialist.

#### *Maintaining Site Integrity*

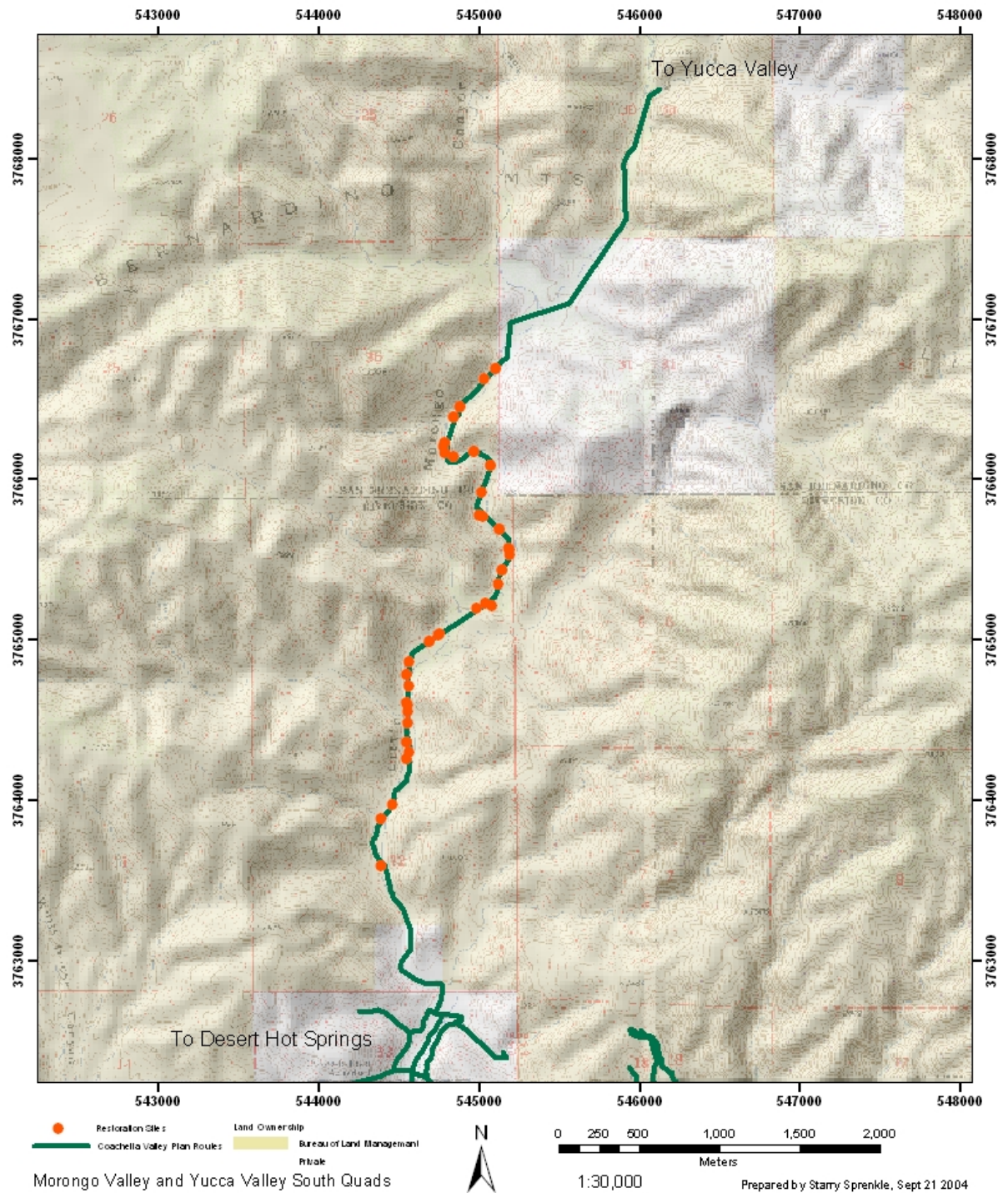
People remove barriers and trample plantings on occasion. To minimize costly irreversible damage, rehabilitated sites require maintenance as they are undergoing natural restoration. The restoration ecologists may undertake additional restoration efforts and barriers on a case-by-case basis.

**Summary of work:** Work will be done between October 1<sup>st</sup> 2004 and February 11<sup>th</sup> 2004 between the hours of 0700 and 2000. Summary information on the unauthorized routes to be restored can be found in **Table 1**, and **Figure 1** is a map of the area to be restored.

**Table 1.** UTM location, site number, azimuth, trail type, and length to the line-of-sight of the unauthorized routes to be restored under the proposed action. NAD 1987 datum used for UTMS.

Site number	UTME	UTMN	Trail Type	Line-of-Sight (m)
1	544389	3763592	parallel wash	100
2	544391	3763889	parallel wash	65
3	544458	3763977	parallel wash	30
4	544550	3764260	parallel wash	25
5	544564	3764298	parallel wash	30
6	544550	3764366	parallel wash	70
7	544553	3764484	cross country	60
8	544555	3764553	cross country	20
9	544552	3764591	cross country	15
10	544550	3764607	parallel wash	60
11	544562	3764712	parallel wash	20
12	544543	3764786	parallel wash	65
13	544561	3764866	parallel wash	100
14	544693	3764994	parallel wash	40
15	544693	3764994	parallel wash	30
16	544746	3765033	parallel wash	30
17	544756	3765042	cross country	80
18	544981	3765203	cross country	60
19	545038	3765232	cross country	60
20	545078	3765213	cross country	30
21	545118	3765353	parallel wash	70
22	545107	3765317	parallel	70
23	545139	3765434	parallel wash	70
24	545139	3765434	parallel wash	50
25	545147	3765463	parallel	30
26	545187	3765531	parallel wash	80
27	545192	3765568	parallel wash	25
28	545186	3765574	corner cut	20
29	545127	3765691	cross country	50
30	545127	3765691	parallel wash	30
31	545003	3765776	parallel wash	35
32	545020	3765773	corner cut	30
33	545018	3765922	corner cut	30
34	545068	3766086	parallel wash	30
35	545071	3766088	parallel wash	40
36	544965	3766176	parallel wash	50
37	544965	3766176	parallel wash	60
38	544842	3766146	parallel wash	40
39	544787	3766166	corner cut	15
40	544781	3766207	corner cut	25
41	544784	3766229	parallel wash	15
42	544840	3766395	parallel wash	15
43	544840	3766395	parallel wash	45
44	544877	3766459	parallel wash	45
45	544877	3766459	parallel wash	40
46	545035	3766627	parallel wash	40
47	545101	3766695	parallel wash	50
Training 1	542075	3768869	cross country	300
Training 2	542087	3769063	parallel route	15

# Restoration Sites along CV005, Big Morongo ACEC to be completed by SCA Restoration Work Crews in 2004-2005



**Figure 1.** Locations of restoration sites in Little Morongo Canyon.

## 2. No Action Alternative

The Proposed Action would not be undertaken. Existing management and use of the site would continue subject to applicable statutes, regulations, policy and land use plans. Habitat degradation will continue from OHV intrusions. Any revegetation will occur naturally.

## AFFECTED ENVIRONMENT

### 1. Area Description

The lands included in the Big Morongo Canyon ACEC contain several significant resource values which contribute to the areas relevance and importance. Sensitive resources which occur within the Big Morongo Canyon ACEC are listed in Table 1.

Table 1: Sensitive Species within Big Morongo Canyon ACEC

SPECIES	STATUS
Desert tortoise ( <i>Gopherus agassizi</i> )	Federal/State Threatened
Desert bighorn sheep ( <i>Ovis canadensis</i> )	State Protected
Mountain lion ( <i>Felis concolor</i> )	Specially Protected
Mule deer ( <i>Odocoileus hemionus</i> )	Game animal
Gambel's quail ( <i>Lophortyx gambelii</i> )	Game Bird
Burrowing owl ( <i>Athene cunicularia</i> )	State Species of Concern
Triple-ribbed milkvetch ( <i>Astragalus tricarlinatus</i> )	Federal Endangered
Little San Bernardino Mountains Gilia ( <i>Gilia maculata</i> ) - now <i>Linanthus</i>	Fed. Candidate Listing (C1)
Robison's monardella ( <i>Monardella robisonii</i> )	Fed. Candidate Listing (C2)

Reptiles. The Desert tortoise is a Federal and California Threatened species that is found in the arid sandy or gravelly locales of the Mojave Desert. It favors vegetation communities dominated by creosote (*Larrea tridentata*) or saltbush (*Atriplex* sp.) and cactus and can also be found in hills, washes, canyon bottoms and oases. During the spring and early summer periods of activity, tortoises can be found foraging mainly on the hillsides, while during the latter months, as it heats up, more of their time is spent foraging in the sandy washes. Their food preference has been shown to be overwhelmingly native annuals and perennials rather than exotic species such as *Schismus* sp., *Erodium cicutarium* or *Bromus madritensis ssp. rubens*. The native plants are much richer in nutrients and may be essential for health and reproduction. The more sandy flat areas in the bottoms of the two canyons and the hillsides where habitat rehabilitation is

proposed provide potential desert tortoise habitat, though no sightings have been reported by Big Morongo Canyon Preserve personnel or during the pre-restoration survey.

Mammals. Desert bighorn sheep (*Ovis canadensis ssp. nelsoni*) are found in the desert mountains of the Mojave desert, including the Santa Rosa, the San Jacinto and the Little San Bernardino Mountains. Bighorn sheep live most of the year close to the desert floor, ascending the mountains only as summer progresses, following the retreat of good forage on the lower desert floor. After the winter rains, the sheep return in early spring to the lower canyons, such as Little Morongo Canyon, where the lambs are born. Bighorn sheep require ready access to water and must remain close to permanent water holes. Such permanent sources of water are to be found in the higher reaches of the two canyons where habitat rehabilitation is proposed. These two canyons also serve as the major corridor for the Little San Bernardino Mountain herd, estimated to be approximately 50 sheep, as it moves from its summer range in the San Gorgonio Wilderness/San Bernardino National Forest uplands to its winter range in the Joshua Tree National Park area.

Other mammals which can be found in the two canyons where habitat rehabilitation is proposed are mountain lion (*Felis concolor*), mule deer (*Odocoileus hemionus*), bobcat (*Lynx rufus*), raccoon (*Procyon lotor*), ring-tailed cat (*Bassaricus astutus*), coyote (*Canus latrans*) and other small game species.

Birds. Though bird diversity is one of Big Morongo Canyon's trademarks, most bird life is seen in the permanent riparian habitats at the northern end of Big Morongo Canyon near the town of Morongo. Within the limits of the two canyons where habitat rehabilitation is proposed, potential habitat for only one species of concern, the burrowing owl (*Athene cunicularia*), may be encountered. This small, terrestrial oriented owl is found in open country near areas of high rodent density. Some of the more open areas of the canyons floor are suitable for burrowing owls, though no sightings have been reported by Big Morongo Canyon preserve personnel.

Sensitive Plant Species. The triple-ribbed milkvetch (*Astragalus tricarlinatus*) is a short-lived perennial plant known only from the Big Morongo Canyon area. It is federally listed as endangered due to disturbance in most of its limited habitat, which includes exposed rocky slopes and canyon walls such as are found in the two canyons proposed for habitat rehabilitation. There are no records of any observations of this species within the proposed project area according to Big Morongo Canyon preserve personnel.

The little San Bernardino Mountain gilia is a tiny annual that has been observed in sandy washes and flat areas within the Little San Bernardino Mountains. Because of its limited range it has been federally listed as a Category 1 candidate. Potentially suitable habitat can be found in the several wide, sandy areas on the floor of the two canyons, though no verified sightings have been reported.

Robison's monardella (*Monardella robisonii*) is a small short-lived perennial shrub found in rocky habitats within Pinyon and juniper woodlands in the higher elevation portion of Little Morongo Canyon. It is endemic to California and occurs infrequently within its limited distribution in the Little San Bernardino Mountains. It is currently federally listed as a Category

2 candidate.

Cultural Resources. Little Morongo Canyon would have served, and still does, as a travel route between the Coachella and Morongo Valleys. Members of the Serrano Tribe occupied Big and Little Morongo Canyons during the ethnographic period. The Serrano followed a life way similar to their southern neighbors, the Cahuilla. Evidence exists that economic, ceremonial and social relationships existed between the Serrano and the Cahuilla. Both groups occupied villages situated to take advantage of ecotones and water supplies so that the majority of necessary plant and animal foods and materials were available within a short distance.

The nearest recorded prehistoric site is SBr-148 which is located approximately 2 miles northwest of the project area. SBr-148 (also apparently referenced as Sbr-349) is a site containing midden soils, features, and artifacts that suggest either long-term or repeated occupation. Thomas King reported in a 1971 inventory report that the site was a “quite large midden site” with a suggested temporal range from 2000 BP through the historic period. The site has been heavily looted and vandalized.

The project area has the potential to contain resources associated with travel between the Coachella and Morongo Valleys. However, no evidence of trails, cairns, or historic roads was noted. Neither was there any evidence of seasonal use or plant/animal gathering or processing sites.

The Colorado River Aqueduct crosses Little Morongo Canyon through an underground siphon approximately 1 mile south of the project area. The aqueduct was constructed during the 1930’s and consists of several miles of tunnel through the Little San Bernardino Mountains, with siphons located where the aqueduct crosses canyons and washes. Water wells were also placed in Little Morongo Canyon to provide water for the construction project. No evidence of construction debris or work camp sites was noted within the current project area. No features or artifacts associated with or dating to the period of Aqueduct construction were identified.

A Class III pedestrian inventory, using transect spacing of less than 10 meters, was conducted for six of the proposed restoration locations within Little Morongo Canyon. The results of this inventory are reported in “A Class III, Intensive, Cultural Resources Inventory for the Little Morongo Canyon Restoration Project” prepared by PSSC Cultural Resources Specialist, Wanda Raschkow, and on file in the PSSC Field Office.

A Class III cultural resources inventory was conducted along the Little Morongo Road corridor by Chambers Group in 2002. The results of this inventory are reported in “Cultural Resources Inventory for the Coachella Valley Management Plan, Riverside County, California.” The inventory examined an area of 300 feet from centerline of the existing road.

The restoration sites at Lanning Lane were inventoried by BLM PSSC Cultural Resources Specialist, Wanda Raschkow, on September 21, 2004. A summary report of this inventory is on file in the PSSC Field Office.

No historic properties were identified within the project area. The project will have no effect to

historic properties.

If previously unidentified cultural resources are encountered during project activities, all work will cease in the immediate area and the PSSC Cultural Resources Specialist will be notified. The restoration team shall consult with the Cultural Resources Specialist before removal of litter or other manufactured materials or structures that appear to be 50 or more years in age.

2. Land Status

1. **Land Use Classification:** Area of Critical Environmental Concern
2. **Valid Existing Rights:** None of the work occurs on private lands, and none will obstruct private right of ways. All routes that access power lines (SCE right of ways) will remain open and unobstructed.

## ENVIRONMENTAL CONSEQUENCES

A. Critical Elements

The following table summarizes potential impacts to various elements of the human environment, including the "critical elements" listed in BLM Manual H-1790-1, Appendix 5, as amended. Elements for which there are no impacts will not be discussed further in this document.

Environmental Element	Proposed Action	No Action Alternative
Air Quality	Short-term	No Impact
ACEC's	Improve ACEC	Scars remain
Cultural Resources	No effect	No effect
Native American Concerns	No effect	No effect
Farmlands	No impact	No impact
Floodplains	No impact	No impact
Energy (E.O. 13212)	No impact	No impact
Minerals	No impact	No impact

T&E Animal Species	No Impact	No impact
T&E Plant Species	No impact	No impact
Invasive, Nonnative Species	Beneficial impact	No impact
Wastes (hazardous/solid)	No impact	No impact
Water Quality (surface and ground)	No impact	No impact
Wetlands/Riparian Zones	No impact	No impact
Wild and Scenic Rivers	No impact	No impact
Wilderness	No impact	No impact
Environmental Justice	No impact	No impact
Health and Safety Risks to Children	No impact	No impact
Visual Resource Mgt.	Improve visual quality of ACEC	Scars remain, diminishing visual quality of ACEC

## B. Discussion of Impacts

### 1. **Proposed Action**

**Project Impacts on Desert Tortoise.** All personnel and equipment will be brought in through the SCE access road which is scheduled to remain intact. All work, including hand preparations, transplanting, equipment operation for ripping roads and trails, the moving of dead debris and boulders and maintenance and monitoring activities will be conducted only on the currently impacted areas of unauthorized hill climbs, roads and trails. These areas are presently devoid of vegetation and suffer from moderate to severe compaction. Potentially suitable burrow habitat for the federally and state threatened desert tortoise can be found in the washes and lower areas within the two canyons, but the hill climbs and trails that will be rehabilitated are currently too compacted for burrowing.

Since the desert tortoise is known to forage for native annuals and perennials on hillsides during the early spring months, it is possible that a tortoise might traverse one of the hill climbs while foraging for food during restoration activities. However, since all hill climb efforts will be conducted by hand and by personnel experienced in working around sensitive plant and animal species, no impact is expected. If a tortoise appears on site while restoration activity is occurring, work will stop until the tortoise has exited the site. No handling of the tortoise will occur.

Habitat that might be suitable for the desert tortoise will not be impacted by this project. In fact, with the rehabilitation of both trails and hillsides, there should be an overall increase in tortoise

habitat through an increase in suitable burrowing areas, a decrease in non-preferred desert tortoise forage such as *Schismus* and *Bromus* and an increase in both native annuals and perennials, the preferred forage of the desert tortoise.

#### Project Impacts on Sensitive Plant Species

The sites proposed for restoration are located within the braided sand and gravel wash or on the upland margin of the wash. The most commonly occurring plants in the project area are catclaw acacia (*acacia greggii*), cheesebush (*Larrea tridentata*), sweetbush (*Bebbia juncea*), desert willow (*Chilopsis linearis*), black-stem rabbitbrush (*Chrysothansum paniculatus*), brittle-brush (*Encelia farinosa*), bladderpod (*Isomeris arborea*), silver cholla (*Opuntia echinocarpa*), and sandpaper plant (*Petalonyx thurberi* ssp. *thurberi*). Of the sensitive plant species listed above, only the San Bernardino gilia is likely to occur in the project area. The proposed restoration would have a potential for impact only during the months of April and May when the plant is flowering.

#### **2. No Action Alternative:**

Desert tortoise habitat and native plant populations would continue to be degraded from impacts by OHV and four-wheeled vehicle traffic on unauthorized trails originating from the authorized SCE road. Without restoring existing unauthorized trails, the creation of additional unauthorized trails, leading from the SCE road, could potentially occur.

#### C. Mitigation Measures

##### *Desert Tortoise Mitigation*

Desert tortoise clearance surveys will occur prior to all project activities. If a tortoise is observed within 100 feet of the project area, all activities potentially affecting individual tortoise will cease and will not continue until the individual has moved out of the area of impact. Any desert tortoise burrows observed within 100 feet of project activities will be avoided. The following standard tortoise mitigation measures will apply:

1. All work will take place during the desert tortoise inactive season, November 1 – March 1.
2. An employee education program must be presented to all on-site workers prior to beginning work. The program may consist of a class or video presented by a qualified biologist (BLM or contracted) or a video. Wallet-sized cards with important information for workers to carry are recommended. All on-site workers shall participate in a tortoise education program prior to initiation of reclamation activities. The operator is responsible for ensuring that the education program is developed and presented prior to conducting activities. The program shall cover the following topics at a minimum:
  - Distribution of the desert tortoise,
  - General behavior and ecology of the tortoise,
  - Sensitivity to human activities,
  - Legal protection,
  - Penalties for violations of State or Federal laws,

- reporting requirements, and
  - Project protective mitigation measures.
3. Only biologists authorized by the USFWS and the BLM shall handle desert tortoises. The BLM or the proponent shall submit the name(s) of the proposed authorized biologist(s) to the USFWS for review and approval at least 15 days prior to the onset of activities. No activities shall begin until an authorized biologist is approved. Authorization for handling shall be granted under the auspices of consultation through the small project programmatic EA.
  4. The authorized biologist shall be required on-site during the activities. The biologist will thoroughly survey the project site for presence of tortoises each day before and during construction activities. This biologist shall have authority from the operator to halt any action that might result in harm to a tortoise.
  5. The area of disturbance shall be confined to the smallest practical area, considering topography, placement of facilities, location of burrows, public health and safety, and other limiting factors. Work area boundaries shall be delimited with flagging or other marking to minimize surface disturbance associated with vehicle straying. Special habitat features, such as burrows, identified by the qualified biologist shall be avoided to the extent possible. To the extent possible, previously disturbed areas within the testing site shall be utilized for the stockpiling of excavated materials, storage of equipment, digging of slurry pits, location of office trailers, and parking of vehicles. The qualified biologist, in consultation with the project proponent, shall ensure compliance with this measure.
  6. To prevent tortoises from falling in, holes shall be either fenced or covered as much of the time as possible and at all times when not attended.
  7. Desert tortoises may be handled only by the authorized biologist and only when necessary. New latex gloves shall be used when handling each tortoise to avoid the transfer of infectious diseases between animals. Aside from the initial site clearance, any tortoise moved shall be placed in the shade of a shrub in the direction in which it was facing when found or at the entrance to a burrow if hibernating. In general, tortoises should be moved the minimum distance possible to ensure their safety.
  8. The authorized biologist shall maintain a record of all desert tortoises handled. This information shall include for each tortoise:
    - 1) The locations (narrative and maps) and dates of observations;
    - 2) General condition and health, including injuries and state of healing and whether animals voided their bladders;
    - 3) Location moved from and location moved to;
    - 4) Diagnostic markings (i.e., identification numbers or marked lateral scutes).
  9. Upon locating a dead or injured tortoise, the operator is to notify the BLM. The BLM must then notify the appropriate field office (Carlsbad) of USFWS by telephone within three days of the finding. Written notification must be made within fifteen days of the finding. The information provided must include the date and time of the finding or incident (if

known), location of the carcass, a photograph, cause of death, if known, and other pertinent information. Tortoise remains shall be collected, delivered to the BLM, and frozen as soon as possible. Injured animals shall be transported to a qualified veterinarian for treatment at the expense of the project proponent. If an injured animal recovers, the USFWS should be contacted for final disposition of the animal.

10. All trash and food items shall be promptly contained within closed, raven-proof containers. These shall be regularly removed from the project site to reduce the attractiveness of the area to ravens and other tortoise predators.
11. Structures that may function as raven nesting or perching sites are not authorized except as specifically stated in the plan of operation or notice. The project proponent shall describe anticipated structures to the BLM during initial project review.

### *Vegetation*

A pre-restoration survey for San Bernardino Mountains Gilia will be conducted by restoration staff for restoration work scheduled for the months of April and May. Any sites with potential occurrences of San Bernardino Mountains Gilia will be surveyed by a BLM botanist before restoration work will continue. Restoration sites with known populations of San Bernardino Mountains Gilia will not be restored during the months of April and May.

### D. Residual Impacts

No desert tortoise will be harmed through the implementation of the mitigation measure described in the previous section. By restoring unauthorized trails, the proposed project would have a beneficial effect on desert tortoise habitat.

### E. Cumulative Impacts

Impacts from OHV traffic has degraded desert tortoise habitat in and around Little Morongo Canyon wherever opportunities for unauthorized trails exist. Utility maintenance roads have always presented opportunities for the creation of impromptu trails. Over time these trails have scared and degraded the landscape in and around the San Bernardino Mountains in a web-like pattern originating from these utility and maintenance roads.

Restoring these unauthorized roads through rehabilitation efforts can reverse the trend of habitat degradation not only for the desert tortoise, but for other plant and animal life in the region as well.

### **FREEDOM OF INFORMATION ACT CONSIDERATIONS:**

Public comments submitted for this environmental assessment, including names and street addresses of respondents, will be available for public review at the Palm Springs-South Coast Field Office during regular business hours (7:45 a.m. to 4:30 p.m.), Monday through Friday,

except holidays. Individual respondents may request confidentiality. If you wish to withhold your name or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comments. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

**PERSONS / AGENCIES CONSULTED:**

**PREPARED BY:**

Starry Sprenkle, ECO Restoration Ecologist  
Jason Tinant, ECO Natural Resources Specialist  
Wanda Raschkow, BLM Cultural Resources Specialist

**REVIEWED BY:**

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Environmental Coordinator

\_\_\_\_\_  
Date

**U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**DECISION RECORD  
CA-660-05-03**

**NAME of PROJECT:** OHV Route Restoration

**DECISION:** It is my decision to approve the proposed action as described in Environmental Assessment (EA) number CA-660-05-03. Compliance with the mitigation measures identified in the EA is hereby required. These measures are incorporated into this decision record as stipulations by reference. A copy of this Decision Record and attendant conditions of approval (stipulations) shall be in the possession of the on-site operator during all undertakings approved herein.

**RATIONALE:** To restore native habitat to pre-disturbance condition. To discourage the future use by OHV traffic over unauthorized trails. The approved action is in conformance with applicable land use plans and will not cause unnecessary or undue degradation.

**FINDING OF NO SIGNIFICANT IMPACT:** Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.

**APPEALS:** This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR), Part 4, and the information provided in Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, 690 West Garnet Avenue, P.O. Box 1260, North Palm Springs, California 92258, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

### **Standards for Obtaining a Stay**

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied,
- (2) the likelihood of the appellant's success on the merits,
- (3) the likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) whether the public interest favors granting the stay.

During the appeal to the State Director, all decisions from which the appeal is taken shall be effective during the pendency of the appeal.

If no appeal is taken, this decision constitutes final administrative action of this Department as it affects the mining claim(s). No appeal, protest or petition for reconsideration will be entertained from this decision after the appeal period has expired.

**APPROVED BY:**

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Field Manager  
Palm Springs-South Coast Field Office  
USDI Bureau of Land Management  
690 W. Garnet Avenue; P.O. Box 581260  
North Palm Springs, CA 92258-1260

\_\_\_\_\_  
Date